

I am filing my comments as a concerned HDTV owner. I am concerned about the 'broadcast flag' as proposed by the BPDG.

I am one of the 3 million people who own a HDTV monitor today. I am concerned that if the 'broadcast flag' is required, my investment will become obsolete because it does not have a secured digital (1394 or DVI) input. One of the requirements of the BPDG proposal seems to require 5C or DTCP. This would force the existing base of HDTV products into obsolescence as very few have a 1394 or DVI inputs. This would seriously affect the people who have already invested thousands of dollars in equipment. The current controversy and indecision is slowing the adoption of DTV/HDTV as potential new buyers hold off because they don't want their investment to become obsolete. I personally know of 10 people who would have bought a HDTV but didn't because of the copy protection controversy. Buyers holding off investing in DTV/HTDV directly impacts the FCC's goals of completing the transistion to DTV by 2006 to reclaim the spectrum from the broadcasters.

I also see the 'broadcast flag' as a method for the Hollywood studios to control or remove my fair use rights to record a program for time shifting purposes. Since the early 1980's every American has had fair use rights to record a program for viewing on any other device they own (time shifting). One likely implementation of the 'broadcast flag' would be to only allow playback on the same device that recorded the program. This prevents me from exercising my fair use rights to record a program in the living room and watch it in the bedroom.

I believe the whole copy protection idea for High Definition programs is not in the public interest. The cost of the Set Top Box (STB) and HDTV monitor/TV will go up because of the additonal circuitry and licensing required to implement this plan. As you are aware, higher costs will only slow down the adoption of DTV/HDTV. I also do not believe that the copy protection plan will be effective. The only people who are in the business of copying programming are the professionals. Professional theives will not be deterred--they will quickly find a way to circumvent any copy protection scheme mandated. The only ones who will be affected by this proposal are the law abiding citizens of the United States who will be faced with obsolete equipment, higher replacement costs and limited or non-existant fair use rights. There are plenty of laws in existance today to deal with those who do make illegal copies of any material.

Please do not move to require copy protection in all DTV/HDTV products. The only affect will be a negative affect on law abiding citizens.

Regards,
Jeff Odell
6242 Warner Avenue #2C
Huntington Beach, CA 92647
949-632-6175